

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MOREEN PAMELA MEERS,

Plaintiff,

v.

NANCY A. BERRYHILL, Acting
Commissioner of Social Security;

Defendant.

4:17CV3045

ORDER

This matter is before the court on plaintiff's request for attorney's fees, [Filing No. 19](#). Plaintiff requests an award of fees in the amount of \$5,824.96 representing 25.5 hours of work at the rate of \$193.92 per hour, and 8.8 hours of paralegal work at the rate of \$100.00, pursuant to the Equal Access to Justice Act, [28 U.S.C. § 2412](#). [Filing Nos. 19 and 20](#). Plaintiff also asks this court to award her \$17.67 in expenses related to service of process. Defendant filed a response indicating she has no objection to the requests for fees and expenses. Likewise, the Commissioner has no objection to paying plaintiff's attorney directly, assuming there is no offset due and owing to the government. [Filing No. 21](#).

The court has carefully reviewed the motion, brief and evidence submitted by the plaintiff. The court found plaintiff disabled and awarded benefits in this case. [Filing No. 18](#). She is the prevailing party and the Commissioner was not substantially justified. Her net worth does not exceed \$2,000,000.00. The court has reviewed the motion for fees and costs as well as the evidence supporting these requests. The court finds that the

amount requested, and the hourly rate are reasonable. Accordingly, the court will award the amount requested by the plaintiff.

THEREFORE, IT IS ORDERED THAT:

1. The court awards attorney's fees in the amount of \$5,824.96 under the Equal Access to Justice Act to the plaintiff, and grants plaintiff's motion, [Filing No. 19](#); and

2. If the Plaintiff has no debt registered with the Department of Treasury subject to offset, the fees be made payable to the plaintiff's attorney; and

3. The court awards expenses in the amount of \$17.67.

Dated this 17th day of August, 2018.

BY THE COURT:

s/ Joseph F. Bataillon
Senior United States District Judge